

**OFFICE OF THE CHIEF OF POLICE**

**SPECIAL ORDER NO. 34**

**November 1, 2007**

**APPROVED BY THE BOARD OF POLICE COMMISSIONERS ON JUNE 12, 2007**

**SUBJECT: OTHER JUDICIAL REVIEW AS AN ADJUDICATION-REVISED**

**PURPOSE:** Audits of personnel complaints conducted by Audit Division and the Office of the Inspector General in 2004 found that Other Judicial Review (OJR) was inappropriately used as personnel complaint adjudication in a large number of cases. The issue was subsequently reviewed by the Independent Monitor leading to a non-compliance finding for Consent Decree Paragraph 85.

Following discussion with Professional Standards Bureau, the Executive Director of the Police Commission, the Inspector General and Consent Decree Bureau, a report recommending modifications on the use of OJR was completed.

**PROCEDURE:**

**I. CIVIL MATTERS INVESTIGATION/ADJUDICATION.** Other Judicial Review may be used to adjudicate personnel complaints only if the accused employee's position does not play a role in the alleged actions. Matters involving these issues include:

- \* Violations of restraining orders;
- \* Child custody/support disputes; and,
- \* Other non-duty related civil disputes.

**II. POST-CONVICTION COMPLAINTS-CRIMINAL MATTERS INVESTIGATION/ADJUDICATION.** The use of OJR as complaint adjudication is no longer appropriate in matters raised by complainants who have been convicted of a crime or crimes, when those matters have been previously addressed in a judicial proceeding unless:

- \* The complainant alleges employee misconduct in the scope of his or her duties that was previously addressed in a civil court proceeding.

**AMENDMENTS:** This Order revises Department Manual Section 3/820.25 and deactivates Form 01.28.04.

**AUDIT RESPONSIBILITY:** The Commanding Officer, Professional Standards Bureau, shall monitor compliance with this directive in accordance with Department Manual Section 0/080.30.

WILLIAM J. BRATTON  
Chief of Police

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